IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 2ND MAY 2007 / 12TH VAISAKHA 1929

Bail Appl..No. 2602 of 2007

(CC.296/2006 OF C.J.M. COURT, KASARAGOD)
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PETITIONER/ACCUSED:

PAVITHRAN V., S/O.KUNJAMBU,
BEVINJE (HOUSE), CHERAKKAL CHANGALA GRAMAM,
KASARAGOD (DISTRICT).

BY ADV. SRI.JOHN K.GEORGE
SRI.P.K.VARGHESE
SRI.K.S.ARUN KUMAR
SRI.E.C.BINEESH

RESPONDENT/COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. C.K. SURESH.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/05/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2602 of 2007

DATED: 2-5-2007

O R D E R

Petitioner who is the 5th accused in Crime No. 960 of 2004 of Kasaragod Police Police Station for offences punishable under Secs. 143, 147, 148, 452, 323, 324 read with Sec. 149 I.P.C. seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No. 647 of 2004 on the file of the J.F.C.M, Kasaragod, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

V.RAMKUMAR, JUDGE.

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